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2004 OCT 20 P 3:18

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH
CENTRAL DIVISION, DISTRICT OF UTAH BY: _____
DEPUTY CLERK

THE SCO GROUP INC. : Case No. 2:03cv00294 DK
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:
Plaintiff/Counterclaim- : ORDER
Defendant,
vs. Judge Dale A. Kimball
INTERNATIONAL BUSINESS MACHINES : Magistrate Judge Brooke C.
CORP. Wells
Defendant/Counterclaim-
Plaintiff.

On October 19, 2004, the court heard argument regarding SCO Group's renewed Motion to Compel Discovery. For good cause shown, the court hereby ORDERS:

1. Both parties are to prepare and exchange privilege logs within 30 days from the entry of this order.
2. IBM is provide affidavits from the Board of Directors, Mr. Palmisano and Mr. Wladawsky-Berger regarding production of all non-privileged documents pertaining to IBM's Linux strategy. The affidavits are to be filed within 30 days from the entry of this order.

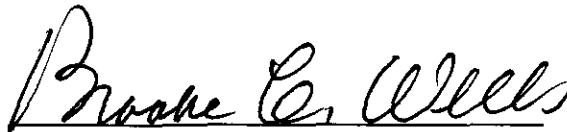
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3. The court takes the remainder of SCO's motion under advisement.

4. The court, *sua sponte*, hereby seals the transcript of the proceedings held on October 19, 2004. Copies of the transcript are to be provided to the parties in the case and to the court but the transcript shall remain sealed until further order of the court.

DATED this 20 day of October, 2004.

BY THE COURT:

A handwritten signature in black ink, reading "Brooke C. Wells". The signature is written in a cursive style with a large initial "B".

BROOKE C. WELLS

United States Magistrate Judge

blk

United States District Court
for the
District of Utah
October 21, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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